

TOWN OF WELLESLEY



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1958 SEP 29 AM 11:18

SHERMAN J. L. BROWN
JOHN L. HAYDEN
GARRETT S. HOAG

BOARD OF APPEAL

KATHARINE E. TOY, CLERK
TELEPHONE
CE. 5-1664

Petition of Charles S. Pollina

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the first floor of the Intermediate Building at 324 Washington Street at 8:05 p.m. on August 14, 1958 upon the petition of Charles S. Pollina requesting permission to continue to conduct his dentist practice in the dwelling owned by Charles S. and Kathryn C. Pollina at 6 Wellesley Avenue in accordance with the provisions of Section 7-C of the Zoning By-law.

Statement of Facts

On July 30, 1958 the petitioner filed an application with the Board of Appeal seeking permission to continue the use of said premises for the above-mentioned use and thereafter due notice of the hearing was given by mailing and publication.

The house involved is located within a general residence zone, a zone in which the desired use of the property is not permitted unless special permission is granted by the Board of Appeal.

At the hearing the petitioner stated that it is his desire to obtain a renewal of the permit issued to him a year ago by this Board allowing him to conduct his dentist practice on the first floor of the house involved and to continue renting the apartment on the second floor. Dr. Pollina pointed out that his circumstances are the same as they were a year ago; due to the death of his father, he is providing a home for his mother; the house involved does not provide adequate space for his family and his mother and unless the requested permit is granted, it will be necessary for him to find other living quarters for her and, in his opinion, undue hardship will result.

No objections were raised at the hearing to the granting of the requested permit.

The Planning Board opposed the granting of the permit in its report.

Conclusion

The Board feels that there is still a real need for the requested non-conforming use of the property and, in its opinion, by granting the requested permission for another year will not substantially reduce the value of property within the district or otherwise injure the neighborhood. The Board further feels that a substantial hardship will result to the petitioner if this permit is not granted for another year, however, it is the unanimous opinion of this Board that the petitioner should make arrangements during the ensuing year to either occupy the house involved or move his dentist practice elsewhere. The permit granted a year ago was on a temporary and conditional basis and is not to become a permanent arrangement by annual renewal.

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Under these circumstances, the Board grants the requested permit subject to the following conditions:

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1. That not more than two tenants shall occupy the three rooms involved at any time.
2. That said permit shall expire one year from this date.

Sherman J. L. Brown
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John L. Hayden
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Filed with Town Clerk

9/29/58